

Message Text

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PAGE 01 STATE 172054
ORIGIN L-03

INFO OCT-01 ARA-10 IO-13 ISO-00 EB-07 TRSE-00 AID-05
SP-02 SS-15 CIAE-00 INR-07 NSAE-00 HEW-04 COME-00
FRB-03 XMB-02 OPIC-03 LAB-04 EPG-02 SIL-01 OMB-01
JUSE-00 SEC-01 AF-10 EA-07 EUR-12 NEA-10 NSC-05
STR-04 CEA-01 DODE-00 NSCE-00 SSO-00 USIE-00
INRE-00 /133 R

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APPROVED BY L:MBFELDMAN
EB/IFD/OIA - MR. KAUZLARICH
IO/IEP - MR. COHN
TREASURY - GC PALMER (SUB)
ARA/MEX - MS. LANE (SUB)
-----042728 222203Z /72

O 222101Z JUL 77
FM SECSTATE WASHDC
TO AMEMBASSY MEXICO IMMEDIATE
USMISSION GENEVA PRIORITY

C O N F I D E N T I A L STATE 172054

E.O. 11652: GDS

TAGS: EGEN, EFIN, UN, ECOSOC

SUBJECT: ECOSOC AGREEMENT ON ILLICIT PAYMENTS

REFS: (A) MEXICO 11962; (B) GENEVA 6057; (C) STATE 166499;
(D) GENEVA 6058

1. DEPARTMENT IS DISAPPOINTED THAT CONTRARY TO EARLIER
INDICATIONS FROM GOM, MEXDEL HAS BEEN GIVEN NO NEW IN-
STRUCTIONS TO COOPERATE WITH USDEL ON ILLICIT PAYMENTS
ISSUE. WE ARE ALSO CONCERNED AT GONZALEZ GALVEZ' REACTION
TO OUR TEXT (REFTEL C) WHICH WAS NOT INTENDED AS A
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PAGE 02 STATE 172054

NEGOTIATING DRAFT. RATHER, IT WAS INTENDED TO EXPRESS IN
NON-PREJUDICIAL LANGUAGE GONZALEZ GALVEZ' SUGGESTION THAT
MEXICO WOULD WISH, AS A FACE-SAVER, A PARAGRAPH IN ECOSOC
RESOLUTION INDICATING AGREEMENT ON BRIBERY WAS ONLY PART
OF A BROADER PROCESS DEALING WITH TNC ISSUES. WE ARE
FURTHER CONCERNED BY GONZALEZ GALVEZ' SUGGESTION (REFTEL A)
THAT ARTICLES BE INCLUDED IN TWO CONVENTIONS LINKING THEM

TOGETHER. IN THE FIRST PLACE, U.S. DOES NOT CONTEMPLATE THAT CODE OF CONDUCT WILL BE EMBODIED IN A CONVENTION WHICH WOULD BY DEFINITION BE LEGALLY BINDING. MOREOVER, ECOSOC WILL NOT AT THIS SESSION BE DRAFTING TEXTS FOR INCLUSION IN ULTIMATE AGREEMENT ON ILLICIT PAYMENTS.

2. FOR GENEVA: IN VIEW OF GOM REACTION TO U.S. TEXT, YOU ARE REQUESTED NOT RPT NOT TO CIRCULATE THIS TEXT OR TO RAISE ISSUE OF LINKAGE WITH CODE OF CONDUCT WITH OTHER DELS. WE WOULD PREFER THAT YOU CONTINUE SOUNDINGS WITH G-77 AND OTHERS AND REPORT ANY PROPOSALS FOR CHANGES IN U.S. DRAFT RESOLUTION ASAP. YOU ARE AUTHORIZED TO CIRCULATE, AND TO INTRODUCE, REVISED RESOLUTION (REF. D) MINUS LAST PRE-AMBULAR PARAGRAPH WHEN YOU DEEM TIMING PROPITIOUS. IN THIS REGARD, WE NOTE THAT ECOSOC SCHEDULE REQUIRES FORMAL SUBMISSION OF PROPOSALS ON THIS ITEM BY JULY 26.

3. FOR MEXICO: AT THIS POINT WE QUESTION WHETHER IT IS WORTHWHILE TO CONTINUE BILATERAL DISCUSSION OF TEXT ITH GOM. OUR MAIN CONCERN IS TO ASSURE THAT PRESIDENT LOPEZ PORTILLO HAS GIVEN CLEAR INSTRUCTIONS THAT GOM WILL NO LONGER OPPOSE AN AGREEMENT ON ILLICIT PAYMENTS SEPARATE FROM TNC CODE OF CONDUCT. IN TELCON WITH FELDMAN, GONZALEZ GALVEZ INDICATED, IN SOMEWHAT CONTRADICTORY TERMS, THAT PRESIDENT HAD NOT YET ADDRESSED ISSUE BUT THAT IT WAS CERTAIN MEXICO WOULD NO LONGER OPPOSE A SEPARATE AGREEMENT. CONFIDENTIAL

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PAGE 03 STATE 172054

WE ARE UNCLEAR WHY GOM WOULD INSIST UPON CROSS-REFERENCES IN FINAL TEXTS OF ILLICIT PAYMENTS AGREEMENT AND CODE OF CONDUCT BUT FEAR THAT GOM MAY BE SEEKING TO OBTAIN USG COMMITMENTS IN RESPECT OF LEGAL STATUS OF CODE OR ITS SCOPE AND CONTENT. ALTERNATIVELY, GOM MAY BE SEEKING A MORE SUBTLE STRATEGY TO MAINTAIN ITS OPPOSITION TO SUBSTANTIVE AGREEMENT ON BRIBERY. IN EITHER EVENT, WE CAN EXPECT SERIOUS DIFFICULTY IN GENEVA AS THE U.S. IS NOT PREPARED TO NEGOTIATE ON CODE OF CONDUCT ISSUES IN THIS FORUM. WOULD APPRECIATE YOUR VIEWS HOW TO OBTAIN SUPPORT OF LOPEZ PORTILLO FOR U.S. POSITION, IN LIGHT OF CURRENT DISCUSSIONS REGARDING OTHER BILATERAL ISSUES, ESPECIALLY UNDOCUMENTED ALIENS PROGRAM.

4. FOR GENEVA: WE ASSUME YOU HAVE NOTED TYPOS IN RESOLUTION (REF D) I.E., 1978 FOR 1976 IN PARA 1(A) AND REAFFIRMS "THAT" IN PARAGRAPH 3. VANCE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENTS, BRIBERY, CORRUPTION, NEGOTIATIONS, MEETINGS
Control Number: n/a
Copy: SINGLE
Sent Date: 22-Jul-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE172054
Document Source: CORE
Document Unique ID: 00
Drafter: MBFELDMAN:LHS
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770262-1077
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770727/aaaaaxhb.tel
Line Count: 111
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: dbdcf264-c288-dd11-92da-001cc4696bcc
Office: ORIGIN L
Original Classification: CONFIDENTIAL
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Original Previous Classification: n/a
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Retention: 0
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Review Content Flags:
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Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1771416
Secure: OPEN
Status: NATIVE
Subject: ECOSOC AGREEMENT ON ILLICIT PAYMENTS
TAGS: EGEN, EFIN, US, MX, UN, ECOSOC
To: MEXICO GENEVA
Type: TE
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